

least said one side of said vehicle being hinged, whereby said at least one section of said one side panel can be opened to expose the interior of said storage box and closed to cover the exterior of said storage box;

at least one ~~latch~~ mechanism mounted to releasably secure said at least one hinged section of said one side panel; and

lock means for actuating said at least one ~~latch~~ mechanism.

Claim 10, line 3, change "a" to read --an--.

Claim 25, amend to read as follows:

25. (Amended) In a vehicle having an enclosure for passengers, merchandise or equipment, and at least a rear door, the improvement comprising:

a hidden storage system mounted within said enclosure and in at least one side of said enclosure <sup>increasing the width or</sup> without substantially altering an external appearance thereof <sup>a width and</sup> when compared with an external appearance of an identical vehicle without the hidden storage system, and including:

a storage box having an opening therein fixedly secured to said at least one side of said enclosure,

said at least one side of said enclosure having at least one section thereof hinged such that outward movement thereof enables access to an interior of said storage box through said opening, and

<sup>an</sup> ~~a lock/latch~~ assembly for securing said at least one hinged section to prevent outward movement thereof.

Claim 35, amend to read as follows:

35. (Twice Amended) A hidden storage system for a vehicle having a conventional bed <sup>increasing the width of</sup> without substantially altering an external appearance of side panels of the conventional bed compared to an external appearance of an identical bed without the hidden storage system, said conventional bed comprising a floor section, a front wall section, two side panel sections, and a tailgate section, with said front wall, side panels and tailgate [all] sections being of substantially the same height, and being adapted to be mounted on wheels, said storage system comprising:

a storage box having an opening mounted intermediate said two side panel sections and on at least one side of said conventional bed, said opening of said storage box being located adjacent one of said side panel sections of said at least one side of said conventional bed,

at least one portion of an overall length of said one of said side panel sections adjacent said storage box being hinged, whereby said hinged portion of said one of said side panel sections can be moved outward to expose an interior of said storage box via said opening in said storage box and moved inwardly to cover said opening and thus the interior of said storage box, without substantially altering the height of and the external appearance of said one side panel section of said conventional bed, and

a ~~lock~~/latch mechanism mounted to releasably secure said

E3 at least one hinged portion ~~of~~ said one side panel section.

Claim 43, amend to read as follows:

43. In a vehicle having contoured side panels, a hidden storage system located intermediate said contoured side panels comprising:

at least one hinged contoured side panel section in at least one of said side panels,

E4 at least one storage box having an interior and an opening therein located intermediate said contoured side panels and adjacent said at least one hinged contoured side panel section, and

a lock/latch mechanism ~~for~~ said at least one hinged contoured side panel section,

G said hidden storage system being constructed to not <sup>increase the width or</sup> substantially alter an external appearance of the contoured side panels of the vehicle compared to an external appearance of an identical vehicle without the hidden storage system.

#### Claim Objection

The objection to Claims 10 and 11 has been overcome by amendment to Claim 10 as suggested.

#### Double Patenting

Claims 11 and 45 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 18 of U.S. Patent No. 5,823,598. Claim 11 depends from Claim 1 and Claim 45 depends from Claim 43, and thus these claims

include the features of the parent claims. When Claim 18 of the patent is compared with Claims 11 and 45, particularly as parent Claims 1 and 43 are now amended, it is readily apparent that the claims are patentably distinct. For example, where in Claim 18 is found the limitation that the storage system is located intermediate the side panels of the vehicle? Also, where in Claim 18 is the external appearance of the system compared to an identical vehicle without the storage system? While Claim 18 sets forth the same subject matter as in Claims 11 and 45, without considering the claimed subject matter of their parent Claims 1 and 43, such is not a proper basis for a double patenting rejection since Claims 11 and 45 do in fact include all the features of their parent claims. Thus, this ground of rejection is improper and should be withdrawn.

#### The 35 USC 102 Rejection

Claims 1-5, 7, 25-28, 31-33, 35, 36, 38, 39, 43, 44, 47 and 48 are rejected under 35 USC 102(b) as clearly anticipated by Ward. Ward clearly fails to teach each feature recited in these claims, particularly as now amended. The following sets forth the basic differences between the storage system of Ward and the claimed subject matter:

1. The storage area of Ward is mounted externally of the side panels of the bed, while Applicants' storage area is located intermediate the side panels.
2. When the storage system of Ward is installed, the external

appearance of the bed is significantly different from the external bed prior to installation of the storage system.

3. In Ward, the side panels have an inner and outer panel, and the inner panel of the conventional vehicle bed is retained as the inner wall of the storage system, and the outer panel is replaced with the storage system, while in Applicants' vehicle bed, the inner panel is at least partially removed, the outer panel is retained and the storage system is mounted in the bed adjacent the side panel. They are directly opposite arrangements.

4. In a bed with dual-panel side panels, Applicants remove at least a section of the inner panel, mount the storage box adjacent the removed section, and hinge the outer panel, while Ward retains the inner panel, removes the outer panel, and replaces the outer panel with the storage system.

The Examiner's attention is directed to Col. 1 lines 42-68 of Ward. The Examiner is requested to point out how the Ward storage system can be mounted on a vehicle bed that does not have a dual-panel side panel arrangement wherein the inner panel serves as the inner wall of the storage area. Later models of pickup beds, for example, do not have the dual-panel arrangement, and thus Ward's storage system cannot be utilized thereon.

Referring now to Claim 1, for example, where in Ward is there taught a "hidden storage system" "which does not substantially alter an external appearance of the vehicle"? As seen in Figure 1 of Ward, the original (inner) side panel is indicated at 42 with taillight 56,

while the side panel having the storage system additionally includes the outer replaced panel 62 with taillight 64. How can the Examiner reasonably contend that the external appearance of 42 and 56 is the same as 42 and 56 plus 62 and 64? A simple view of the rear of the vehicle bed of Ward clearly illustrates its failure to teach that the external appearance has not been altered, as claimed, since it clearly has been in Ward. Where in Ward is the "storage box" of Claim 1 found? Independent Claims 25, 35 and 43 set forth features similar to Claim 1, which features are not taught by Ward. If this rejection is maintained, the Examiner is called upon to specifically point out which features in Ward teach each feature in Applicants' claims. Ward totally fails to teach a storage system located intermediate the side panels of the bed because the inner panel of Ward is the inner wall of the storage area.

Since Ward fails to teach each feature recited in these claims, particularly as amended, the reference fails to support a rejection of these claims under 35 USC 102, and thus the rejection should be withdrawn.

#### The 35 USC 103 Rejections

The 35 USC 103(a) rejections set forth in paragraphs 8-12 are based on Ward alone or in view of different secondary references. Each of the rejected claims is dependent from one of Claims 1, 25, 35 or 43. These secondary references have been previously discussed in Applicants' prior responses and fail to teach the features set forth in the parent claims which are lacking in Ward, and thus fail to

grounds of rejection should be withdrawn.

teach or suggest the features recited in the claims so rejected, and thus fail to support these rejections under 35 USC 103. Thus, these

Paragraphs 13-17 set forth rejections under 35 USC 103(a) based on Sisler in view of Ward, plus ternary references. Now, if one skilled in the art modified Sisler in view of Ward, as proposed by the Examiner, storage areas as taught by Ward would be hung on the exterior of the side panels 11 and 12 of Sisler, leaving the now existing containers 21, 22 and 23 of Sisler within the bed (intermediate the side panels). With this modification to Sisler, the Examiner is called upon to point out which features of modified Sisler teach the features set forth in Applicants' claims. It is obvious that this proposed modification of Sisler will not teach the claimed subject matter. Regarding the ternary references, these fail to teach features lacking in Sisler as modified by Ward. Accordingly, these grounds of rejection are improper and should be withdrawn.

#### Objections To The Specification

The objections set forth in paragraph 18 to the specification have been previously argued and deemed improper. This issue is under review by the previously filed petitions to the Commissioner.

#### Objections To The Drawings

The objections set forth in paragraph 19 are the same as previously set forth on which Petitions to the Commissioner have been filed.